REMARKS/ARGUMENTS

1.   Applicant respectfully requests that the above amendments of claims 41, 51, 58, and 65 be entered. The Examiner indicated in the Interview Summary of September 3, 2003 that the above amendments overcome the previous rejection dated June 16, 2003.

2.   The Examiner rejected claims 41-74 under 35 U.S.C. 103(a) as being unpatentable over Tomoda (US Patent No. 5,706,511). In the present invention as claimed, a ghost lock is created for a first process when the first process learns about a particular resource, specifically by receiving an inquiry from a second process regarding that resource. The ghost lock is a partial instantiation of a resource lock that, among other things, identifies the resource owner. In embodiments of the present invention, the process holding a ghost lock must typically contact the resource owner before accessing the resource, and the ghost lock facilitates this process by having the identity of the resource owner available for the process prior to the process requiring the resource.

Tomoda appears to use a single lock manager to manage all resources. The lock manager essentially acts as the owner of all resources, since all resource accesses are coordinated through the lock manager. None of the management processes of Tomoda maintain anything like a ghost lock that identifies the owner of the resource, since there is no need in Tomoda for such an owner identifier due to the single lock manager. In fact, it does not appear that any type of resource lock is maintained for the management processes of Tomoda, but instead each management process in Tomoda "inquires of the lock manager ... before processing the transaction" (Col. 5, lines 40-42), which is similar to a process of the present invention contacting a resource owner before accessing the

resource. The management processes of Tomoda process the transaction based on the response of the lock manager (Col. 5, lines 60-63).

Thus, it would not be obvious from Tomoda to create a ghost lock for identifying the owner of a resource upon receiving an inquiry regarding the resource, as in the present invention as claimed. Tomoda does not teach or otherwise suggest the use of a ghost lock for managing resources, but instead teaches a central lock manager for managing resources. Tomoda does not maintain any type of lock structure identifying a resource owner.

3.   Claims 41-74 are pending in this application. All pending claims are believed to be in a form suitable for allowance. Therefore, the application is believed to be in a condition for allowance. The Applicant respectfully requests early allowance of the application. The Applicant requests that the Examiner contact the undersigned, Jeffrey T. Klayman, if it will assist further examination of this application.

Respectfully submitted,

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